

Message Text

CONFIDENTIAL

PAGE 01 STATE 247636

60

ORIGIN EUR-25

INFO OCT-01 IO-14 ISO-00 L-03 EB-11 SSO-00 NSCE-00 USIE-00

INRE-00 CIAE-00 DODE-00 PM-07 INR-10 NSAE-00 NSC-10

PA-04 RSC-01 PRS-01 SPC-03 SS-20 SAJ-01 ACDA-19 /130 R

DRAFTED BY EUR/CE:GLRUECKERT:DAM

APPROVED BY EUR - GSSPRINGSTEEN

L/EUR - DSMALL

EUR/CE - NCLEDSKY

IO/UNP - CSCHALLER(SUBST.)

UN/P - PMILLER

EB/OA/AVP - JGRAVATT

L/T: CBEVANS

----- 049132

O R 200001Z DEC 73

FM SECSTATE WASHDC

TO AMEMBASSY BONN IMMEDIATE

INFO AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

AMCONSUL MONTREAL

USMISSION BERLIN

USMISSION NATO

USMISSION USUN NEW YORK

C O N F I D E N T I A L STATE 247636

E.O. 11652: GDS

TAGS: ETRN, PFOR, GW, GE, WB, UK, FR, US, UN

SUBJ: ALLIED DISCLAIMER ON GDR ADMISSION TO ICAO

REF: A) BONN 17311; B) BERLIN 2058;

1. DEPARTMENT AGREES THAT BONN GROUP SHOULD
DEVELOP DISCLAIMER TEXT, USING AS BASIS EARLIER
DRAFTS CLEARED BY DEPARTMENT AND LATEST VERSION
SUGGESTED BY USBER (REFTEL B). DEPT. WOULD PREFER
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 247636

HOWEVER THAT NO REFERENCE TO QUADRIPARTITE AGREEMENT

BE CONTAINED IN TEXT OF DISCLAIMER. DEPT, DRAWING ON USBER MODEL, BELIEVES THAT FINAL SENTENCE OF DISCLAIMER MIGHT READ "THESE RIGHTS AND RESPONSIBILITIES REFLECTED IN THE CORRESPONDING AGREEMENTS, DECISIONS, AND PRACTICES WILL CONTINUE UNAFFECTED IN THE FUTURE AS THE FOUR POWERS RESPONSIBLE FOR BERLIN MADE CLEAR IN THEIR QUADRIpartite DECLARATION OF NOV 9, 1972, WHICH WAS CIRCULATED AS A UN DOCUMENT TO ALL UN MEMBERS ON 18 JUNE 1973."

2. WITH REGARD TO QUESTION RAISED BY USBER (PARA 2, REFTel B), DEPT AND ICAO LEGAL COUNSEL CONSIDERED, IN EARLY POSTWAR YEARS, THAT ARTICLE 92 REFERRED TO "UNITED NATIONS" IN ITS WARTIME SENSE. THE COUNTRIES WHICH CAME INTO ICAO UNDER ARTICLE 93 (AUSTRIA-1948, FINLAND-1949, FRG-1956, ITALY-1947, AND JAPAN-1953) ALL JOINED PRIOR TO THEIR ENTRY INTO UN. BULGARIA-(1967) ROMANIA-(1965) AND HUNGARY (1969) JOINED ICAO AFTER ENTERING THE UN, APPARENTLY APPLYING AND BEING ACCEPTED UNDER ARTICLE 92.

3. BECAUSE FRG ENTERED UNDER ARTICLE 93, POSSIBLE ENTRY OF THE GDR UNDER ARTICLE 92 CARRIES WITH IT UNDESIRABLE POLITICAL IMPLICATIONS. WE HAVE NOT IDENTIFIED ANY STATE OTHER THAN FRG WHICH WAS CREATED AFTER WORLD WAR II WHICH HAS COME INTO ICAO UNDER ARTICLE 93, AND, IN ANY EVENT, WOULD WISH TO TREAT GDR AS "ENEMY" AS OPPOSED TO "NEW" STATE.

4. DEPT BELIEVES ISSUE OF WHETHER GDR ENTERS ICAO UNDER ARTICLE 92 OR ARTICLE 93 DESERVES CONSIDERATION IN BONN GROUP. IF DISCUSSION LEANS TOWARD INSISTENCE ON GDR ENTRY UNDER TERMS OF ARTICLE 93, BONN GROUP SHOULD DEVELOP AND AGREE ON RATIONALE FOR DISTINGUISHING BETWEEN TREATMENT OF GDR ON ONE HAND AND BULGARIA, HUNGARY AND ROMANIA ON OTHER. RUSH

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DIPLOMATIC PROTESTS, MEMBERSHIP REQUIREMENTS, BERLIN AIR ACCESS, BERLIN TRIPARTITE MATTERS
Control Number: n/a
Copy: SINGLE
Draft Date: 20 DEC 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: garlanwa
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973STATE247636
Document Source: CORE
Document Unique ID: 00
Drafter: GLRUECKERT:DAM
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: n/a
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19731213/aaaaajcf.tel
Line Count: 98
Locator: TEXT ON-LINE
Office: ORIGIN EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: A) BONN 17311; B) BERLIN 2058;
Review Action: RELEASED, APPROVED
Review Authority: garlanwa
Review Comment: n/a
Review Content Flags:
Review Date: 02 AUG 2001
Review Event:
Review Exemptions: n/a
Review History: RELEASED <02-Aug-2001 by worrelsw>; APPROVED <28-Sep-2001 by garlanwa>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: ALLIED DISCLAIMER ON GDR ADMISSION TO ICAO
TAGS: ETRN, PFOR, GE, GC, WB, UK, FR, US, UN, ICAO
To: BONN
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005